



## **PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, February 8, 2006**

9:00 a.m.  
City Council Chambers  
City Hall

200 East Santa Clara Street  
San Jose, California 95113-1905

### **Hearing Officers**

**Jean Hamilton, AICP, Principal Planner**

**Susan Walton, Principal Planner**

**Joseph Horwedel**  
**Acting Director of Planning, Building, and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **February 8, 2006**. My name is \_\_\_\_\_ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed.** The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

**Note:** If you have any agenda changes, please contact Gina Robles ([gina.robles@sanjoseca.gov](mailto:gina.robles@sanjoseca.gov)).

## **AGENDA**

### **ORDER OF BUSINESS**

#### **1. DEFERRALS**

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

**The matter of deferrals is now closed.**

#### **2. CONSENT CALENDAR**

##### **NOTICE TO THE PUBLIC**

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **H05-048. Site Development Permit** to allow on-site bus parking and a 384 square foot office trailer for office use on a 0.4 gross acre site in the HI Heavy Industrial Zoning District, located on the east side of Daylight Way, approximately 250 feet southerly of Pullman Way (2920 Daylight Way) (Gonzalez Rigoberto And Maria S, Owner). Council District 7. SNI: None. CEQA: Exempt.
- b. **TR05-163. Tree Removal Permit** to remove one Walnut tree approximately 73 inches in circumference in the CG General Commercial Zoning District, located at/on the southwest corner of East Santa Clara Street and South 19th Street (696 E SANTA CLARA ST). The subject tree exhibits a large split in the trunk. (Nguyen Ngai, Baker David Et Al, Owner). Council District 3. CEQA: Exempt.
- c. **H05-059. Site Development Permit** to construct 10 single-family attached residences on a 0.34 gross acre site in the R-M Multiple Residence Zoning District, located on the southeast corner of Northern Road and Cross Way (Shwe Richard S And Alma M Trustee, Owner). Council District 6. SNI: None. CEQA: Addendum to Mitigated Negative Declaration, File No. H00-025.
- d. **H05-057. Site Development Permit** to increase the size of an existing manufacturing building to 3,672 square feet on a 0.10 gross acre site in the HI Heavy Industrial Zoning District, located on the east side of McEvoy Street, approximately 240 feet northerly of W. San Carlos Street (254 MCEVOY ST) (Oceans Three Llc, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.

- e. **SP05-071. Special Use Permit** the reduction in the amount of off-street parking required for a one-family dwelling from two (2) spaces to one (1) in the R-1-8 Single-Family Residence Zoning District, located at 3895 Maui Drive (Padilla Daniel, Owner). Council District 7. SNI: None. CEQA: Exempt.
- f. The projects being considered are located on the west side of Lincoln Avenue approximately 230 feet northerly of Pine (1669 LINCOLN AV), in the A(PD) Planned Development Zoning District (LINCOLN GLEN HOMES LLC, Owner/Developer). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.
  - 1. **PD05-039. Planned Development Permit** to allow demolition of an existing single-family residence and construction of 4 single-family detached residences on a 0.59 gross acre site.
  - 2. **PT05-115. Planned Development Tentative Map Permit** to subdivide 1 parcel into 5 lots for residential uses on a 0.59 gross acre site.

The consent calendar is now closed.

### 3. PUBLIC HEARING

- a. **SP05-046. Special Use Permit** to allow the reinstatement of a legal non-conforming use to allow a restaurant and bar with 24 hour operation (open after midnight) within an existing building on a 1.05 gross acre site in the HI Heavy Industrial Zoning District, located on the east side of Oakland Road approximately 950 feet southerly of Rock Avenue (1984 OAKLAND RD) (Huddleston Walter L Sr Trustee, Owner). Council District 4. SNI: None. CEQA: Exempt. **Continued from 1/18/06.**
- b. **T05-117. Vesting Tentative Map** to subdivide one parcel into a one lot condominium for approximately 208 residential units and 5 commercial units on a 1.02 gross acre site in the DC Downtown Primary Commercial Zoning District, located at the northeast corner of Market and San Salvador Streets (360 S MARKET ST) (City Of San Jose Redevelopment Agency, Owner; Mesa Sofa Partners, Llc Mr Richard Shields, Developer). Council District 3. SNI: None. CEQA: San Jose Downtown Strategy 2000 Final EIR Resolution No. 72767 and Addendum thereto.
- c. **H05-051. Site Development Permit** to allow exterior modifications and site improvements for an existing office use on a 5.67 gross acre site in the DC Downtown Primary Commercial Zoning District, located at/on the northwest corner of Almaden Boulevard and West San Fernando Street (99 ALMADEN BL) (Rpd Almaden Llc, Owner). Council District 3. SNI: None. CEQA: Exempt.

This concludes the Planning Director's Hearing for February 8, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:  
<http://www.sanjoseca.gov/planning/hearings/default.asp>  
PUBLIC INFORMATION COUNTER  
(408) 535-7800 CITY OF SAN JOSE